

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION

U.S. DISTRICT COURT  
N.D. OF ALABAMA

ERIC B. McDANIEL,

Plaintiff,

vs.

SHERIFF STEPHEN CRABBE, *et al.*,

Defendants.

CV 02-CO-2375-W

MEMORANDUM OF OPINION

ENTERED  
JAN 13 2004

The magistrate judge filed a report and recommendation on December 12, 2003, recommending that this action, filed pursuant to 42 U.S.C. § 1983, be dismissed for failing to state a claim upon which relief can be granted. 28 U.S.C. § 1915A(b). The plaintiff filed objections to the report and recommendation on December 23, 2003.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation and the objections thereto, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and the recommendation is ACCEPTED. Accordingly, the complaint is

due to be dismissed for failing to state a claim upon which relief can be granted, pursuant to 28 U.S.C. § 1915A(b). A Final Judgment will be entered.

DATED this 12<sup>th</sup> day of Jan., 2004.

A handwritten signature in black ink, appearing to read 'LSC', is written over a horizontal line.

L. SCOTT COOGLER  
UNITED STATES DISTRICT JUDGE